Appl. No. 09/759,395 Amdt. Dated Nov. 24, 2003 Reply to Office action of Sept. 4, 2003

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

- 1. (Original) A method for improving cardiac performance associated with a current set of N pacing parameters by adjusting the N cardiac pacing parameters, where N is an integer greater than one, the method comprising the steps of:
- (a) determining cardiac performance associated with the current set of N pacing parameters;
- (b) repeating steps (c) through (e) for i =one to N, where i represents which of the N pacing parameter is being adjusted;
- (c) incrementing an i^{th} pacing parameter in the current set of N pacing parameters based on a corresponding i^{th} increment value to thereby produce an i^{th} set of test pacing parameters;
- (d) determining a cardiac performance associated with the i^{th} set of test pacing parameters;
- (e) updating the i^{th} increment value based on the cardiac performance associated with the i^{th} set of test pacing parameters; and
- (f) updating the current set of N pacing parameters based on the updated increment values determined in step (e).
- 2. (Original) The method of claim 1, wherein step (e) comprises the step of updating the i^{th} increment value based on the difference between the cardiac performance associated with the current set of N pacing parameters and the cardiac performance associated with the i^{th} set of test pacing parameters.
- 3. (Original) The method of claim 1, wherein step (e) comprises the step of updating the i^{th} increment value based on:

Page 2 of 10



Appl. No. 09/759,395 Amdt. Dated Nov. 24, 2003 Reply to Office action of Sept. 4, 2003

the ith increment value used in step (c), and

the difference between the cardiac performance associated with the current set of N pacing parameters and the cardiac performance associated with the i^{th} set of test pacing parameters.

4. (Original) The method of claim 3, wherein step (e) comprises the step of updating the i^{th} increment value based on the equation:

$$\delta_i \leftarrow k \bullet \delta_i \bullet (P_i - P_0)$$

where,

 δ_i is the i^{th} increment value,

k is a predetermined constant scale factor,

 P_i is a measure of the cardiac performance associated with i^{th} set of test pacing parameters as determined in step (d),

 P_0 is a measure of the cardiac performance associated with the current set of N pacing parameters as determined in step (a), and

denotes replacement.

5. (Original) The method of claim 1, wherein step (e) comprises the step of updating the i^{th} increment value based on one of the following equations:

(1)
$$\delta_i \leftarrow \delta_i$$
 if $P_i > P_0$, otherwise $\delta_i \leftarrow -\delta_i$, and

(2)
$$\delta_i \leftarrow \delta_i \text{ if } P_i \geq P_0 \text{ , otherwise } \delta_i \leftarrow -\delta_i \text{ ,}$$

where,

 δ_i is the i^{th} increment value,

 P_i is a measure of the cardiac performance associated with i^{th} set of test pacing parameters as determined in step (d),

Page 3 of 10



Appl. No. 09/759,395 Amdt. Dated Nov. 24, 2003 Reply to Office action of Sept. 4, 2003

 P_0 is a measure of the cardiac performance associated with the current set of N pacing parameters as determined in step (a), and

- ← denotes replacement.
- 6. (Original) The method of claim 1, further comprising the step of:
- (g) repeating steps (a) through (f).
- 7. (Original) The method of claim 1, further comprising the step of:
- (g) repeating steps (a) through (f) until each of the updated increment values determined in step (e) is less than a predetermined threshold value.
- 8. (Original) The method of claim 1, further comprising the step of:
- (g) repeating steps (a) through (f) until a difference between the cardiac performance associated with the current set of N pacing parameters and the cardiac performance associated with the i^{th} set of test pacing parameters is less than a predetermined threshold value for all i between 1 and N inclusive.
- 9. (Original) A method for improving cardiac performance associated with a current set of N pacing parameters by adjusting the N cardiac pacing parameters, where N is an integer greater than 1, the method comprising the steps of:
- (a) determining cardiac performance associated with the current set of N pacing parameters;
- (b) incrementing the i^{th} pacing parameter in the current set of N pacing parameters based on an i^{th} increment value, to thereby produce an i^{th} set of test pacing parameters, wherein i is an integer between 1 and N inclusive;
- (c) determining cardiac performance associated with the ith set of test pacing parameters;
 - (d) updating the l^{th} increment value;

Page 4 of 10



PAGE 5/10 * RCVD AT 11/24/2003 2:03:40 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:4087380285 * DURATION (mm-ss):03-04

Appl. No. 09/759,395 Amdt. Dated Nov. 24, 2003

Reply to Office action of Sept. 4, 2003

- (e) updating the current set of N pacing parameters based on the updated *i*th increment value determined in step (d); and
 - (f) repeating steps (a) through (e) for all N pacing parameters.
- 10. (Original) The method of claim 9, wherein step (d) comprises the step of updating the i^{th} increment value based on the difference between the cardiac performance associated with the current set of N pacing parameters and the cardiac performance associated with the i^{th} set of test pacing parameters.

11. (Original) The method of claim 9, wherein step (d) comprises the step of updating the i^h increment value based on:

the i^{th} increment value used in step (c), and

the difference between the cardiac performance associated with the current set of N pacing parameters and the cardiac performance associated with the i^{th} set of test pacing parameters.

12. (Original) The method of claim 11, wherein step (d) comprises the step of updating the i^{th} increment value based on the equation:

$$\delta_i \leftarrow k \bullet \delta_i \bullet (P_i - P_0)$$

where.

 δ_i is the i^{th} increment value,

- k is a predetermined constant scale factor,
- P_i is a measure of the cardiac performance associated with i^{th} set of test pacing parameters as determined in step (d),
- Po is a measure of the cardiac performance associated with the current set of N pacing parameters as determined in step (a), and
 - ← denotes replacement.

Page 5 of 10

TACE 6/10 * RCVD AT 11/24/2003 2:03:40 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:4087380285 * DURATION (mm-ss):03-04 PAGE

Amdt. Dated Nov. 24, 2003

Reply to Office action of Sept. 4, 2003

- 13. (Original) The method of claim 9, wherein step (d) comprises the step of updating the i^{th} increment value based on one of the following equations:
 - (1) $\delta_i \leftarrow \delta_i$ if $P_i > P_0$, otherwise $\delta_i \leftarrow -\delta_i$, and
 - (2) $\delta_i \leftarrow \delta_i$ if $P_i \ge P_0$, otherwise $\delta_i \leftarrow -\delta_i$,

where,

 δ_i is the i^{th} increment value,

 P_i is a measure of the cardiac performance associated with i^{th} set of test pacing parameters as determined in step (d),

 P_0 is a measure of the cardiac performance associated with the current set of N pacing parameters as determined in step (a), and

- ← denotes replacement.
- 14. (Original) The method of claim 9, further comprising the step of:
 - (g) repeating steps (a) through (f).
- 15. (Original) The method of claim 9, further comprising the step of:
- (g) repeating steps (a) through (f) until each of the updated increment values determined in step (d) is less than a predetermined threshold value.
- 16. (Original) The method of claim 9, further comprising the step of:
- (g) repeating steps (a) through (f) until a difference between the cardiac performance associated with the current set of N pacing parameters and the cardiac performance associated with the i^{th} set of test pacing parameters is less than a predetermined threshold value for all i between 1 and N inclusive.
- 17. (Original) A method for improving cardiac performance associated with a current set of N pacing parameters by adjusting the N cardiac pacing parameters, where N is an integer, the method comprising the steps of:

Page 6 of 10

PAGE 7/10 * RCVD AT 1/124/2003 2:03:40 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:4087380285 * DURATION (mm-ss):03-04

Appl. No. 09/759,395

Amdt. Dated Nov. 24, 2003

Reply to Office action of Scpt. 4, 2003

- (a) determining cardiac performance associated with the current set of N pacing parameters;
 - (b) determining a random test set of N pacing parameters;
- (c) determining cardiac performance associated with the test set of N pacing parameters; and
- (d) replacing the current set of N pacing parameters with the test set of N pacing parameters if the cardiac performance associated with the test set of N pacing parameters is greater than the cardiac performance associated with the current set of N pacing parameters.
- 18. (Original) The method of claim 17, wherein step (b) comprises selecting N values from a plurality of predefined values, the selected N values comprising the random test set of N pacing parameters.
- 19. (Original) The method of claim 17, further comprising the step of:
 - (f) repeating steps (a) through (e).
- 20. (Original) The method of claim 17, further comprising the step of:
- (f) repeating steps (a) through (e) until, for a predetermined number of consecutive times, the cardiac performance associated with the test set of N pacing parameters is not greater than the cardiac performance associated with the current set of N pacing parameters.
- 21. (Original) The method of claim 17, wherein step (b) comprises the steps of:
 - i. determining a set of N random increment values; and
 - ii. incrementing the pacing parameters in the current set of N pacing parameters using the set of N random increment values, to thereby produce the random test set of N pacing parameters.
- 22. (Original) The method of claim 21, wherein step (b)i. comprises selecting N values from a plurality of predefined values, the selected N values comprising the set of N random increment values.

Page 7 of 10

PACE 8/10 * RCVD AT 11/24/2003 2:03:40 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:4087380285 * DURATION (mm-ss):03-04

Appl. No. 09/759,395 Amdt. Dated Nov. 24, 2003

Reply to Office action of Sept. 4, 2003

23. (Original) The method of claim 21, further comprising the step of:

(f) repeating steps (a) through (e).

24. (Original) The method of claim 21, further comprising the step of:

(f) repeating steps (a) through (e) until, for a predetermined number of consecutive times, the cardiac performance associated with the test set of N pacing parameters is not greater than the cardiac performance associated with the current set of N pacing parameters.

ii. incrementing the pacing parameters in the current set of N pacing parameters using the set of N random increment values, to thereby produce the random test set of N pacing parameters.

25-37. (Withdrawn)

Page 8 of 10